

FISH and WILDLIFE COMMISSION AGENDA ITEM COVER SHEET

Meeting Date: April 14, 2017

Agenda Item: Bay of Park Grove at the Fort Peck Dredge Cuts No Wake Administrative Rule

Division: Enforcement

Action Needed: Final

Time Needed on Agenda for this Presentation: 10 Min

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Background: A petition was received in 2016 for a no wake restriction in the Bay of Park Grove located at the Fort Peck Dredge Cuts. After further discussion with the petitioner, his proposal is to restrict the Bay of Park Grove to no wake motorized boating 75 feet out from the shoreline. The petition references safety concerns, disruption of both animal activity and non-motorized user activity, and shoreline damage.

Public Involvement Process & Results: FWP's public comment period for this proposal ran for 29 days ending February 17. A public hearing was held at the Fort Peck Hatchery meeting room on February 16, at which 14 members of the public attended. A total of 18 individual comments were received regarding this proposed rule change, 15 comments were against, 2 comments (the original petitioner and his spouse) were in favor, and one comment was neutral. Many of the comments against the no wake zone cited safety concerns if water-skiers had to start skiing 75 feet away from their dock, where more boat traffic occurs.

Alternatives and Analysis: The Commission can adopt or not adopt the rule. If the Commission doesn't adopt the rule, the area will remain as it currently is without a no wake zone. If the Commission adopts the rule as proposed, the Bay of Park Grove will be limited to a no wake zone 75 feet out from the shoreline.

Agency Recommendation & Rationale: The department recommends the Commission not adopt the rule as the department has never received or documented any complaints or incidents of the boating activity described in this petition. Also, the majority of the public that submitted written or verbal comments did not see safety issues as a concern and have not observed the activities or disturbances referenced in the petition and several of these same individuals have cabins with docks in this bay.

Proposed Motion: I move the Fish and Wildlife Commission not adopt the administrative rule limiting the Bay of Park Grove to a no wake zone 75 feet out from the shoreline.